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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,396	04/30/2001	Wayne L. Randell	32423/82536	2724
7590	07/07/2010			
Bobby B. Gillenwater, Esquire BARNES & THORNBURG 600 One Summit Square Fort Wayne, IN 46802				EXAMINER LIVERSEDGE, JENNIFER L
			ART UNIT 3684	PAPER NUMBER
			MAIL DATE 07/07/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/845,396	RANDELL ET AL.	
	Examiner	Art Unit	
	JENNIFER LIVERSEDGE	3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 April 2010.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 117-128 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 117-128 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/11/2010</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/845,396 filed on April 6, 2010.

The amendment contains previously presented claims: 118-123 and 125-127.

The amendment contains amended claims: 117 and 124.

Claims 1-116 have been canceled.

The status of claim 128 is unclear. The claim is not included with the claim set, but is not indicated as canceled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 117-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7,206,768 B1 to deGroeve et al. (further referred to as deGroeve), in view of US Patent 6,363,421 B2 to Barker et al. (further referred to as Barker), and further in view of US Patent 6,031,535 to Barton (further referred to as Barton).

Regarding claims 117-120 and 122-127, deGroeve discloses a process for online invoice presentment and processing, and an apparatus (Figure 1) comprising:

Generating at a biller entity a database record, the database record containing a plurality of data elements related to an invoice for a service rendered to a customer entity, the data elements including: an invoice number data element; amount billed data element; date of invoice data element; invoice approval status data element; invoice payment authorization status data element (Figure 5; column 3, lines 45-55; column 4, lines 5-12; column 13, lines 42-58; column 18, lines 45-67; column 19, lines 58-67; column 24, lines 11-29; column 26, lines 18-22 and lines 39-67; column 27, lines 9-25; column 35, lines 2067);

Electronically transmitting a plurality of the data elements from the database to a remote computer unit associated with the customer entity (Figure 1; column 3, lines 45-55; column 16, lines 49-53; column 17, lines 18-59; column 18, lines 4-7);

Receiving at the remote computer unit user credentials data supplied by a user (column 19, line 58 – column 20, lines 7; column 35, lines 34-44);

Processing the data elements with the computer unit and rendering an image of the invoice at a display of the computer unit to provide the user with a visual

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representation of the invoice (Figures 5, 7; column 4, lines 5-60; column 23, line 65 – column 24, line 42-53; column 25, lines 37-43);

Providing at the computer unit a dynamically adaptable user interface, wherein:

A selection of the first input option indicating that the user at the computer unit has approved the invoice (Figures 7, 15A; column 1, line 61 – column 2, line 3; column 4, lines 25-38; column 4, line 47 – column 5, line 4; column 13, lines 46-58; column 19, lines 62-67; column 23, lines 50-54; column 27, lines 11-25; column 35, lines 20-67); and

A selection of the second input option at the computer unit indicating that the user has authorized payment of the invoice (Figures 7, 15A; column 1, line 61 – column 2, line 3; column 4, lines 25-38; column 4, line 47 – column 5, line 4; column 13, lines 46-58; column 19, lines 62-67; column 23, lines 50-54; column 27, lines 11-25; column 35, lines 20-67); and

In response to selection by the user of the first input option, transmitting data from the computer unit to the database to modify the invoice approval status data element to indicate that the payment of the invoice has been approved (Figure 8; column 26, lines 60-67; column 27, lines 11-17).

deGroeve does not disclose the user interface having at least two selectively deactivatable input options, and selectively deactivating the first input option on the basis of the user credentials data when the user credentials data indicates that the user does not possess invoice approval privileges; the second input option on the bases of

the user credentials data when the user credentials data indicates that the user does not possess payment authorization privileges; the second input option on the basis of information in the invoice approval status data element, wherein the information in the invoice approval status data element indicates that the invoice has not been approved;

However, deGroeve discloses where users are assigned particular privileges and wherein users are permitted to carry out transactions only for which they have assigned privileges (column 4, lines 47-60; column 13, lines 46-58; column 19, line 62 – column 20, line 7), wherein it is desirable to have one party first approve/confirm an invoice before another party authorizes the invoice for payment (column 1, line 61 – column 2, line 3; column 4, lines 33-35; column 27, line 23-25), and further that certain invoices may be viewable only if certain processing steps have been performed on the invoice, specifically that invoices may only be viewable if they have first been confirmed (column 6, lines 56-64).

Additionally, Barker discloses selectively deactivating options on the basis of user credentials data (column 30, lines 45-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invoice approval system by multiple parties wherein users have predefined privilege credentials and wherein invoices are approved in sequence of approve/confirm and then authorize for payment as disclosed by deGroeve to adapt the selective deactivation of inputs on the basis of user credential data as disclosed by Barker. The motivation would be that as deGroeve provides an order to which invoice approval and authorization must occur, to use the deactivation of inputs as disclosed by Barker such that a user could not act on an

invoice out of turn. deGroeve provides a means of preventing such out of turn authorization by limiting the viewing of invoices to those that have been approved such that they are ready for authorization. Providing the deactivation of an approval and/or authorization button based on user credential data would achieve the same ends using similarly known technology.

Neither deGroeve nor Barker disclose providing the deactivation with a visual representation of the invoice. However, Barton discloses providing the deactivation with a visual representation (column 1, lines 28-35). This known technique is applicable to the system of deGroeve and Barker as they both share characteristics and capabilities, namely, they are both directed to controlling access to data and menus. One of ordinary skill in the art would have recognized that applying the known technique of Barton would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Barton to the teachings of deGroeve and Barker would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate deactivatable selections into similar systems. Further, including deactivatable selections with the approval and authorization system of deGroeve and Barker would have been recognized by those of ordinary skill in the art as resulting in an improved system that would provide a comprehensive screen showing all steps of the process even if those processes were unselectable by certain individuals.

Regarding claims 121 and 128, deGroeve does not disclose wherein the user credentials data conveys a password. However, Barker discloses wherein the user credentials data conveys a password (column 8, lines 45-46). Given the combination of deGroeve and Barker above, it would have been further obvious to one of ordinary skill in the art at the time of the invention to have adapted the use of access control through the use of passwords as disclosed by Barker, the motivation being that passwords are commonly used for user identification and access control and would provide for an efficient means of identifying a user authorized for various functions and where deactivation of inputs may be required as disclosed by Barker.

Response to Arguments

Applicant's arguments filed April 6, 2010 have been fully considered and as directed to newly added claim limitations were addressed in the rejection above.

In addition, applicant argues the combination of references as being construed through impermissible hindsight. Examiner respectfully disagrees and finds that deGroeve, Barker and Barton represent analogous art within the field of provide user interfaces for providing business functions.

deGroeve discloses where users are assigned particular privileges and wherein users are permitted to carry out transactions only for which they have assigned privileges (column 4, lines 47-60; column 13, lines 46-58; column 19, line 62 – column 20, line 7), wherein it is desirable to have one party first approve/confirm an invoice

before another party authorizes the invoice for payment (column 1, line 61 – column 2, line 3; column 4, lines 33-35; column 27, line 23-25), and further that certain invoices may be viewable only if certain processing steps have been performed on the invoice, specifically that invoices may only be viewable if they have first been confirmed (column 6, lines 56-64). Additionally, Barker discloses selectively deactivating options on the basis of user credentials data (column 30, lines 45-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invoice approval system by multiple parties wherein users have predefined privilege credentials and wherein invoices are approved in sequence of approve/confirm and then authorize for payment as disclosed by deGroeve to adapt the selective deactivation of inputs on the basis of user credential data as disclosed by Baker. The motivation would be that as deGroeve provides an order to which invoice approval and authorization must occur, to use the deactivation of inputs as disclosed by Baker such that a user could not act on an invoice out of turn. deGroeve provides a means of preventing such out of turn authorization by limiting the viewing of invoices to those that have been approved such that they are ready for authorization. Providing the deactivation of an approval and/or authorization button based on user credential data as disclosed by Barker would achieve the same ends using similarly known technology.

While Barker does not relate to the field of on-line invoice processing, Barker does disclose the use of selectively deactivating options on the basis of user credentials data. Thus, a known technique is being applied in a similar manner to achieve a similar predictable result. deGroeve specifically is concerned about the order in which invoices

are approved and granting permission such that the approval and authorization occur in order. It would be obvious to implement the control feature of Barker to ensure that this order is maintained. Additionally, Barton discloses where selectable and deactivated selection buttons are displayed on a screen based on functions to be conducted. This also is a known technique within the field of user interfaces and would be implemented in the online processing of invoices of deGroeve and with the deactivating of selections as disclosed by Barker.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Jennifer Liversedge/

Primary Examiner, Art Unit 3684